

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

STATEMENT OF UNINTENTIONAL DELAY

Applicant hereby petitions for revival of this application. The entire delay in submitting the Response to the Final Office Action from the due date for the reply until filing of a grantable petition pursuant to 37 C.F.R. §1.137(b) was unintentional.

SHOWING OF UNINTENTIONAL ABANDONMENT

The USPTO issued a Notice of Abandonment, mailed on November 21, 2006, indicating that the above-identified application had gone abandoned based on Applicant's failure to timely file a response to a Final Office Action mailed on March 6, 2006. A copy of the Notice of Abandonment is annexed hereto.

Unfortunately, neither the Final Office Action mailed on March 6, 2006 *nor* the Notice of Abandonment mailed on November 21, 2006 were delivered to our Office due to a change in correspondence address. The record in this case indicates that both the Office Action and Notice of Abandonment were returned to the USPTO as "undeliverable."

These documents were mailed to an old correspondence address despite the fact that a Change of Correspondence Address Application was filed in this case on three separate occasions, (i) April 11, 2005, (ii) August 1, 2005, and (iii) September 29, 2005, all well in advance of the issuance of the Final Office Action mailed of March 6, 2006. By the Decision on Petition dated February 5, 2007, the Change of Correspondence Address documents were not entered because the filing patent professional was not empowered to make such a change.

The Applicants' undersigned attorney became aware of the outstanding Final Office Action and the Notice of Abandonment after the application had gone abandoned by virtue of a

random status check that was performed using Private Pair. Furthermore, after learning of the Abandonment, the undersigned conducted a search of the file jacket and reviewed the docketing records for this application with our Docketing Clerk and Office Manager, and determined that the Final Office Action mailed on March 6, 2006 was not received by our Office, and that our Office personnel otherwise had no knowledge of the pending Final Office Action.

Accordingly, early and favorable consideration of the present petition for revival is respectfully requested. Further, Applicants respectfully request that the USPTO reissue the outstanding Final Office Action. Power of Attorney and Change of Correspondence Address documents are also enclosed.

Respectfully submitted,

Dated: July 24, 2007



Nathaniel T. Wallace
Reg. No. 48,909
Attorney for Applicants

Mailing Address:
F. CHAU & ASSOCIATES, LLC
130 Woodbury Road
Woodbury, New York 11797
TEL: (516) 692-8888
FAX: (516) 692-8889